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Phillips

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(a) .22 caliber pistol and .22 caliber ammunition.

AND WHEREAS, on February 15, 2005, the Defendant, CARL ANTHONY TUCKER, pled guilty to Counts Three, Four and Five of the Superseding Indictment charging him with violations of Title 18, United States Code, Sections 2113(a) and (d), 2, 924(c), 922(g)(1) and 924(e), and agreed to forfeit his interest to the United States in the following property:

(a) .22 caliber pistol and .22 caliber ammunition.

AND WHEREAS, the Court accepted the guilty plea of the Defendant, CARL ANTHONY TUCKER, on February 15, 2005, and by virtue of said guilty plea and conviction, the Court has determined that the property identified above is subject to forfeiture pursuant to Title 18, United States Code, Sections 924(d)(1) and Title 28, United States Code, Section 2461(c) and that the United States has established the requisite nexus between the property and the aforesaid offense. Further the United States is now entitled to seize said property, pursuant to Title 21 U.S.C. § 853(g), as incorporated by Title 28, United States Code, Section 2461(c), and Rule 32.2(b) of the Federal Rules of Criminal Procedure;

AND WHEREAS, on July 5, 2005, the defendant was sentenced to 262 months imprisonment for Counts Three, Four and Five of the Superseding Indictment, in violation of Title 18, United States Code, Sections 2113(a) and (d), 2, 924(c), 922(g)(1) and 924(e). At sentencing, the Court ordered the forfeiture of a .22 caliber pistol and .22 caliber ammunition, to the United States, pursuant to Title 18, United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c) and Title 21, United States Code, Section 853, as incorporated by Title 28, United States Code, Section 2461(c).

Accordingly, it is hereby ORDERED, ADJUDGED, and DECREED:

1. That based upon the plea of guilty by the Defendant, CARL ANTHONY TUCKER, to a violation of Title 18, United States Code, Sections 2113(a) and (d), 2, 924(c), 922(g)(1) and 924(e), the United States is hereby authorized to seize the following property, and the same is hereby forfeited to the United States for disposition in accordance with law, pursuant to the provisions of Title 18, United States Code, Section 924(d)(1), Title 28, United States Code, Section 2461(c) and Title 21 U.S.C. § 853, as incorporated by Title 28, United States Code, Section 2461(c):

(a) .22 caliber pistol and .22 caliber ammunition.

2. That the aforementioned forfeited property is to be held by the United States Marshals Service in its secure custody and control.

3. That pursuant to Title 21, United States Code, Section 853(n)(1), as incorporated by Title 28, United States Code, Section 2461(c), the United States Marshal forthwith shall publish at least once for three consecutive weeks in a newspaper of general circulation, notice of this Order, notice of the Marshal's intent to dispose of the properties in such manner as the Attorney General may direct and notice that any person, other than the Defendant, having or claiming a legal interest in the above-listed forfeited property must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier.

4. This notice shall state that the petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the property shall be signed by the petitioner under penalty of perjury and shall set forth the nature and extent of the petitioner's right, title and interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title, and interest in the property, and any additional facts supporting the petitioner's claim and the relief

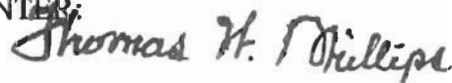
sought. The United States may also, to the extent practicable, provide direct written notice to any person, as a substitute for published notice as to those persons so notified.

5. That upon adjudication of all other or third-party interests in said property, this Court will enter a Final Order of Forfeiture pursuant to Title 21, United States Code, Section 853(n), as incorporated by Title 28, United States Code, Section 2461(c), in which all interests will be addressed.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to the Federal Rules of Criminal Procedure 32.2(e).

7. That the Clerk of this Court will provide a certified copy of this Order to the United States Marshal's Service and to the United States Attorney's Office.

ENTER:



THOMAS W. PHILLIPS
UNITED STATES DISTRICT JUDGE

Submitted by:

James R. Dedrick
United States Attorney

By: s/Hugh B. Ward, Jr.
Hugh B. Ward, Jr.
Assistant United States Attorney